

## CERTIFICATION UNDER 37 C.F.R. 1.8

I hereby certify that this petition is being deposited with the United States Postal Service as First Class mail, postage prepaid, on Tuesday, January 20, 1998, in an envelope addressed to: Box Missing Part; Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Jay Beatty Intellectual Property Administrator

10/31/00  
09/702576  
U.S. PRO  
J925



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** DuRee, et al.

**Application No.:** 08/855,621

**Title:** "System & Method for Transporting a Call"

**Filed:** May 13, 1997

**Art Unit:** 2611

**Examiner:** N/A

## PETITION UNDER 37 C.F.R. 1.47(a) AND 1.42

Hon. Assistant Commissioner for Patents

Washington D.C. 20231

Dear Sirs,

In response to the Notice to File Missing Parts of Application, that provides notice that the signature(s) to the oath or declaration is/are missing, Applicants hereby petition the Commissioner under 37 C.F.R 1.47(a) and 1.42 to file the Declarations for the above-referenced application on their behalf and on behalf of deceased joint inventor Joseph Michael Christie.

Applicants submit the following:

- Proof of the legal representative status of Joseph S. Christie and Jean M. Christie is provided by copy of the Letters of Administration provided as Exhibit A.
- Proof of refusal of the legal representatives to sign the Declaration is provided by the Declaration of Jay B. Beatty and Exhibit B and Exhibit C. The Declaration of Jay B. Beatty states that application papers were sent to Joseph S. Christie and Jean M. Christie. The

Declaration of Jay B. Beatty states that he received an unsigned Declaration and an express written refusal to sign with signatures of Joseph S. Christie and Jean M. Christie. The unsigned Declaration is provided as Exhibit B. The express refusal to sign is provided as Exhibit C.

- The last known addressed of Joseph S. Christie and Jean M. Christie is:

R.D. #1, Box 435

Mt. Pleasant, PA 15666

- The original Declaration of the remaining joint inventors on their own behalf is enclosed.
- The original Declaration of the remaining joint inventors on behalf of the deceased joint inventors legal representatives is enclosed.
- Enclosed is the original Assignment with signatures of each joint inventor of the above-referenced application to Sprint Communications Company L.P. The assignment includes signatures of Joseph S. Christie and Jean M. Christie, legal representatives of the estate of Joseph Michael Christie.

Pursuant to 37 C.F.R. 1.42 and 1.47, Applicants submit respectfully submit the above Declarations are in compliance with 37 C.F.R. 1.63.

The Commissioner is hereby authorized to charge the \$130.00 fee for the filing of this petition under 37 C.F.R. 1.17(h), and any additional fees under C.F.R. 1.16 and 1.17 which may be required during the entire pendency of the application to Sprint Communications Company, L.P., Deposit Account Number 21-0765.

Respectfully submitted,

Date 1/20/98

By 

Harley R. Ball, Patent Attorney  
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SPRINT COMMUNICATIONS COMPANY L.P.  
8140 Ward Parkway  
Fifth Floor  
MS: MOKCMP0506  
Kansas City, Missouri 64114

1 MICHAEL E. PITTS (SBN 103537)  
2 ROPERS, MAJESKI, KOHN & BENTLEY  
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4 Attorneys for Petitioner  
5 Joseph S. Christie and Jean M. Christie

U.S. PTO  
05/702576  
(ENDORSED)  
FILED  
SAN MATEO COUNTY  
10/31/00

JUL 21 1997

Clerk of the Superior Court  
By DONNA GUDAITIS  
DEPUTY CLERK

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 SAN MATEO COUNTY SUPERIOR AND MUNICIPAL COURTS

11 ESTATE OF

12 SUPERIOR CASE NO. 101442

13 JOSEPH MICHAEL CHRISTIE,

14 ORDER OF FINAL DISTRIBUTION UPON  
WAIVER OF ACCOUNTING

15 Deceased.

16 Hearing Date: 7/18/97  
Time: 9:00 am Dept. 6

17  
18 JOSEPH S. CHRISTIE and JEAN M. CHRISTIE, Administrators of the Estate of Joseph  
19 Michael Christie, deceased, having filed their waiver of accounting and petition for final distribution,  
20 and the petition coming on regularly for hearing, the court finds:

21 Notice of hearing of the petition has been regularly given as prescribed by law.

22 All allegations of the petition are true.

23 Joseph Michael Christie died intestate on February 22, 1996 in San Mateo County,  
24 California, and was a resident of San Mateo County.

25 Joseph S. Christie and Jean M. Christie qualified as administrators and letters of  
26 administration were issued on October 15, 1996. At all times since then they have been and now are  
27 the Administrators of the estate of the decedent.

28 On October 15, 1996, Joseph S. Christie and Jean M. Christie were granted authority by

1 Order of this Court to administer the estate without Court supervision under The Independent  
2 Administration of Estates Act. Their authority to so administer the estate has not been revoked.  
3

4 Notice of petition to administer estate has been given as required by law.  
5

6 Petitioners have complied with the provisions of California Probate Code Section 9050. No  
7 claims have been filed with the court or presented to the executor. No claims were rejected.  
8

9 Petitioners complied with provisions of California Probate Code §§9202 and 215.  
10

11 The time for filing or presenting claims expired on February 15, 1997, and the estate is now  
12 in a condition to be closed.  
13

14 All debts of decedent and of the estate and all expenses of administration have been paid.  
15

16 No federal estate tax return has been filed for the estate because the estate was not sufficient  
17 to require such a return, and no federal or California estate taxes are due.  
18

19 Any California or federal income taxes which may be payable by the estate will be paid by  
20 Petitioners as beneficiaries of the estate assets.  
21

22 There are no personal property taxes due or payable by the estate as shown by the Certificate  
23 of the County Assessor of the County of San Mateo on file herein.  
24

25 No real property taxes are due or payable as the decedent owned no real property.  
26

27 The estate consists entirely of the separate property of the decedent.  
28

29 Distribution should be ordered as requested.  
30

31 **IT IS ORDERED AND ADJUDGED** that:  
32

33 1. The administration of the estate is brought to a close without the requirement of an  
34 accounting;  
35

36 2. All acts and transactions of the Executor relating to the matters set forth in the  
37 waiver and petition are confirmed and approved; and all notices required by law have been duly  
38 given;  
39

40 3. Distribution of the estate in Petitioners' hands and any other property of the decedent  
41 or the estate not now known or discovered, be made equally to **JOSEPH S. CHRISTIE** and  
42 **JEAN M. CHRISTIE** of the following assets which represent all the assets of the estate:  
43

1

2 1994 Toyota automobile VIH #JT2SK12EOR0234341 (inventory  
3 value \$10,000)

4 Furniture, furnishings and personal effects located at decedent's  
5 apartment (inventory value \$500)

6 Payment for 10 inventions from Sprint, Inc. under employment  
7 contract (inventory value \$10,000)

8 Corporate America Federal Credit Union  
9 Account No. 0025080820 (inventory value \$ 30,620.87, plus interest)

10 4. All costs and attorneys' fees associated with the administration of decedent's estate shall be  
11 paid by Sprint Communications Company, L. P., 8140 Ward Parkway, P. O. Box 8417, Kansas City,  
12 MO, 64114-0417, Attention: Jay B. Beatty, Intellectual Property Administrator.

13 Dated: 7/18/97

14 ROBERT D. FOILES

15 JUDGE OF THE SUPERIOR COURT

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LAW OFFICES  
Ropers, Majestik, Kohn &  
Bentley  
A Professional Corporation  
1001 Marshall Street  
Redwood City, CA 94063  
(415) 364-8200

RC1/83867.1/LT4

-3-

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address):		TELEPHONE: 415 364-8200	FOR COURT USE ONLY
<b>MICHAEL E. PITTS, SB #103537</b> <b>ROPER, MAJESKI, KOHN &amp; BENTLEY</b> <b>1001 Marshall Street</b> <b>Redwood City, CA 94063</b>		 JC925 U.S. PTO <b>09/702576</b> 10/31/00	
ATTORNEY FOR (Name): <b>Joseph S. and Jean M. Christie</b>		(ENDORSED) <b>FILED</b> SAN MATEO COUNTY	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO</b> <b>STREET ADDRESS: 401 MARSHALL STREET</b> <b>MAILING ADDRESS: HALL OF JUSTICE &amp; RECORDS</b> <b>CITY AND ZIP CODE: REDWOOD CITY, CA 94063</b> <b>BRANCH NAME:</b>		OCT 15 1996	
ESTATE OF (NAME): <b>JOSEPH MICHAEL CHRISTIE</b>		Clerk of the Superior Court By <u>Marguerite W. Waggensperger</u> DEPUTY CLERK 655101	
DECEDENT			
<b>LETTERS</b> <input type="checkbox"/> TESTAMENTARY <input checked="" type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED		<b>CASE NUMBER:</b> <b>101442</b>	

**LETTERS**

1.  The last will of the decedent named above having been proved, the court appoints (name):  
  - a.  Executor
  - b.  Administrator with will annexed
2.  The court appoints (name):  
**JOSEPH S. CHRISTIE and JEAN M. CHRISTIE**
  - a.  Administrator of the decedent's estate
  - b.  Special administrator of decedent's estate
    - (1)  with the special powers specified in the Order for Probate
    - (2)  with the powers of a general administrator
3.  The personal representative is authorized to administer the estate under the Independent Administration of Estates Act  with full authority  
 with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).

WITNESS, clerk of the court, with seal of the court affixed.

 Date: **OCT 15 1995**

 Clerk, by Marguerite Waggensperger, Deputy

(SEAL)


**AFFIRMATION**

1.  PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 1140(b)).
2.  INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
3.  INSTITUTIONAL FIDUCIARY (name):

I solemnly affirm that the institution will perform the duties of personal representative according to law.

 I make this affirmation for myself as an individual and on behalf of the institution as an officer.  
 (Name and title):

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

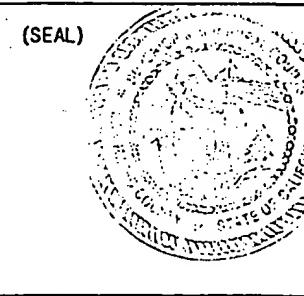
4. Executed on (date): **September 16, 1996**  
 at (place): Mt. Pleasant, PA

Joseph S. Christie  
Desiree M. Christie

(SIGNATURE)

**CERTIFICATION**

I certify that this document is a correct copy of the original or file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.


 Date: **OCT 15 1995**

Clerk, by

Marguerite Waggensperger  
 (DEPUTY)

EXPRESS REFUSAL TO SIGN

CG925 U.S. PTO  
09/702576  
10/31/00

As the Co-Executors for the estate of Joseph Michael Christie, we have been presented with the U.S. patent application papers, including the Declaration, for the U.S. patent application entitled "System and Method for Transporting a Call", of which we understand Joseph Michael Christie was a joint inventor. Because we lack the knowledge necessary to execute this Declaration, we hereby refuse to sign this Declaration or any other Declarations associated with any other related application such as continuations, continuations in part, and divisional applications of this application. We have no reason to believe that the statements made in the Declaration would not be true.

Dated: 10/7/97

Joseph S. Christie  
(Co-Executor: Joseph S. Christie)

Jean M. Christie  
(Co-Executor: Jean M. Christie)